

2665

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jae-Yoel KIM et al.

Examiner: Thomas E. Volper

Serial No.: 09/503,258

Group Art Unit: 2665

Filed: February 14, 2000

Docket: 678-454

For: APPARATUS AND METHOD FOR
ALLOCATING WALSH CODES IN CDMA
COMMUNICATION SYSTEM HAVING
VARIABLE RATE CHANNEL STRUCTURE

Dated: March 16, 2004

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Technology Center 2600

**PETITION FOR CONSIDERATION OF
INFORMATION DISCLOSURE STATEMENT**

Sir:

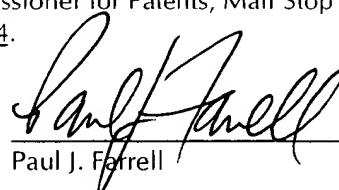
Applicants hereby petition that the references cited in the attached Information Disclosure Statement be considered by the U.S. Patent and Trademark Office. A final Office Action was mailed February 23, 2004 in connection with the above-identified patent application.

The items listed in the attached Information Disclosure Statement were cited by the Japanese Patent Office in a counterpart application, namely Appln. No. 2000-599147. A copy of the Japanese Office Action dated January 6, 2004 is attached hereto.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope addressed to the: Commissioner for Patents, Mail Stop PETITION, P.O. Box 1450, Alexandria, VA 223130-1450 on March 16, 2004.

Dated: March 16, 2004



Paul J. Farrell

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CERTIFICATION UNDER 37 C.F.R. §1.97(e)(2)

Applicants submit that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application no more than three months prior to the filing of the Statement.

A check in the amount of \$130.00 is enclosed to cover the surcharge under 37 C.F.R. 1.17(i). If the enclosed check is insufficient for any reason or becomes detached, please charge the required fee under 37 C.F.R. §1.16(e) to Deposit Account No. 04-1121. **TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

Respectfully submitted,



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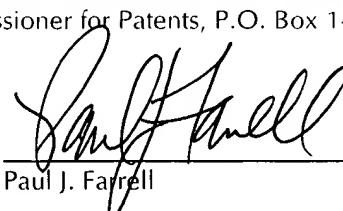
Pursuant to Applicants' duty of disclosure, it is respectfully requested that the references listed in the attached form PTO-1449 be considered by the Examiner and made of record in the above-identified application. A copy of each reference is attached hereto.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

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The filing of this Information Disclosure Statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

CERTIFICATION UNDER 37 C.F.R. §1.97(e)(2)

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Respectfully submitted,



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